**State of Ohio Standard Inspection Report**

**Authority:** Chapters 3717 and 3715 Ohio Revised Code

### Name of Facility
**SUBWAY SANDWICHES & SALADS**

### Address
1300 INDIANA AVE.
ST. MARYS, OH 45885

### License holder
**TUMMER INC.**

### Inspection Information
- **Inspection Time (min):** 60
- **Travel Time (min):** 30
- **Other:** / /  / /  / /

### License number
204

### Date
10/03/2018

### Category/Descriptive
COMMERCIAL CLASS 4 <25,000 SQ. FT.

### Type of visit (check)
- [ ] Standard
- [X] Follow Up
- [ ] Foodborne
- [ ] 30 Day
- [ ] Complaint
- [ ] Prelicensing
- [ ] Consultation
- [ ] Other specify

### Follow-up date (if required)
/ /  / /  / /

### Sample date/result(if required)
/ /  / /  / /

### 3717-1 OAC Violation Checked

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<th>Violation</th>
<th>Description</th>
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<td>Food: protection from contamination after receiving.</td>
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(C) Packaged and unpackaged food - preventing contamination by separation, packaging, and segregation.

Food shall be protected from cross contamination by:

1. Except as specified in paragraph (C)(1)(c) of this rule, separating raw animal foods during storage, preparation, holding, and display from:
   - Raw ready-to-eat food including other raw animal food such as fish for sushi or molluscan shellfish, or other raw ready-to-eat food such as fruits and vegetables; and
   - Cooked ready-to-eat food.
2. Except when combined as ingredients, separating types of raw animal foods from each other such as beef, fish, lamb, pork, and poultry during storage, preparation, holding, and display by:
   - Using separate equipment for each type; or
   - Arranging each type of food in equipment so that cross contamination of one type with another is prevented; and
   - Preparing each type of food at different times or in separate areas.
3. Cleaning equipment and utensils as specified under paragraph (B) (1) of rule 3717-1-04.5 of the Administrative Code and sanitizing as specified under paragraph (C) of rule 3717-1-04.6 of the Administrative Code:
4. Cleaning hermetically sealed containers of food of visible soil before opening;
5. Protecting food containers that are received packaged together in a case or overwrap from cuts when the case or overwrap is opened;
6. Storing damaged, spoiled, or recalled food being held in the food service operation or retail food establishment as specified under paragraph (D) of rule 3717-1-06.3 of the Administrative Code;
7. Separating fruits and vegetables, before they are washed as specified under paragraph (G) of this rule from ready-to-eat food; and
8. Storing the food in packages, covered containers, or wrappings. This provision does not apply to:
   - Whole, uncut, raw fruits and vegetables and nuts in the shell, that require peeling or hulling before
consumption;
(b) Primal cuts, quarters, or sides of raw meat or slab bacon that are hung on clean, sanitized hooks or placed on clean, sanitized racks;
(c) Whole, uncut, processed meats such as country hams, and smoked or cured sausages that are placed on clean, sanitized racks;
(d) Food being cooled as specified under paragraph (E)(2)(b) of rule 3717-1-03.4 of the Administrative Code;
or
(e) Shellstock.

Trays of bread and cookies were observed uncovered on a rack on top of the counter. Please keep these items covered to prevent potential contamination of the products.

3717-1-03.2 Food: protection from contamination after receiving.
(K)In-use utensils - between-use storage.
During pauses in food preparation or dispensing, food preparation and dispensing utensils shall be stored:
(1) Except as specified under paragraph (K) (2) of this rule, in the food with their handles above the top of the food and the container;
(2) In food that is not time/temperature controlled for safety with their handles above the top of the food within containers or equipment that can be closed, such as bins of sugar, flour, or cinnamon;
(3) On a clean portion of the food preparation table or cooking equipment only if the in-use utensil and the food-contact surface of the food preparation table or cooking equipment are cleaned and sanitized at a frequency specified under paragraphs (A) and (B) of rule 3717-1-04.5 of the Administrative Code and paragraph (B) of rule 3717-1-04.6 of the Administrative Code;
(4) In running water of sufficient velocity to flush particulates to the drain, if used with moist food such as ice cream or mashed potatoes;
(5) In a clean, protected location if the utensils, such as an ice scoops, are used only with a food that is not time/temperature controlled for safety; or
(6) In a container of water if the water is maintained at a temperature of at least one hundred thirty-five degrees Fahrenheit (fifty-seven degrees Celsius) and the container is cleaned at a frequency specified under paragraph (B)(2)(g) of rule 3717-1-04.5 of the Administrative Code.

Scoops in the steak container in the prep cooler were laying down with their handles on top of the food product. In use utensils shall be kept on a clean hard surface or in the product with the handle up out of the product to prevent contamination. THE SCOOPS WERE MOVED WITH THE HANDLES UP TO CORRECT.

3717-1-03.2 Food: protection from contamination after receiving.
(Q)Food storage - preventing contamination from the premises.
Except as hereinafter provided in this rule, food shall be protected from contamination by storing the food:
(1) In a clean, dry location;
(2) Where it is not exposed to splash, dust, or other contamination; and
(3) At least six inches (fifteen centimeters) above the floor.
Food in packages and working containers may be stored less than six inches (fifteen centimeters) above the floor on case lot handling equipment as specified under paragraph (II) of rule 3717-1-04.1 of the Administrative Code; and pressurized beverage containers, cased food in waterproof containers such as bottles or cans, and milk containers in plastic crates may be stored on a floor that is clean and not exposed to floor moisture.

A box of sliced roast beef was observed on the floor of the walk in cooler. Food products shall be kept at least six inches above the floor to prevent contamination and to allow for easy cleaning of the floor beneath the products.

*CRITICAL VIOLATION*

3717-1-03.4 Food: limitation of growth of organisms of public health concern.
(F)Time/temperature controlled for safety food - hot and cold holding.
(1) Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under paragraph (I) of this rule, and except as specified under paragraph (F)(2) and in paragraph (F)(3) of this rule, time/temperature controlled for safety food shall be maintained at a temperature specified as follows:
(a) At one hundred thirty-five degrees Fahrenheit (fifty-seven degrees Celsius) or above, except that roasts cooked to a temperature and for a time specified in paragraph (A)(4) of rule 3717-1-03.3 of the Administrative Code or reheated as specified in paragraph (H) (1) of rule 3717-1-03.3 of the
Administrative Code may be held at a temperature of one hundred thirty degrees Fahrenheit (fifty-four degrees Celsius) or above; or
(b) At forty-one degrees Fahrenheit (five degrees Celsius) or less.

(2) Eggs that have not been treated to destroy all viable Salmonellae shall be stored in refrigerated equipment that maintains an ambient air temperature of forty-five degrees Fahrenheit (seven degrees Celsius) or less.

(3) Time/temperature controlled for safety food in a homogenous liquid form may be maintained outside of the temperature control requirements, as specified under paragraph (F) (1) of this rule, while contained within specially designed equipment that complies with the design and construction requirements as specified under paragraph (P)(5) of rule 3717-1-04.1 of the Administrative Code.

The counter top reach in cooler was holding milk products at 47F. Cold held foods must be kept at or below 41F to prevent rapid pathogen growth. THE MILK WAS MOVED INTO THE WALK IN COOLER TO CORRECT.

*CRITICAL VIOLATION*

3717-1-03.4 Food: limitation of growth of organisms of public health concern.

(G) Ready-to-eat, time/temperature controlled for safety food - date marking.

(1) Except when packaging food using a reduced oxygen packaging method as specified under paragraph (K) of this rule, and except as specified in paragraphs (G)(4) and (G)(5) of this rule, refrigerated, ready-to-eat, time/temperature controlled for safety food prepared in a food service operation or in a retail food establishment for more than twenty-four hours, shall be clearly marked to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded when held at a temperature of forty-one degrees Fahrenheit (five degrees Celsius) or less for a maximum of seven days. The day of preparation shall be counted as day one.

(2) Except as specified in paragraphs (G)(5) to (G)(7) of this rule; refrigerated, ready-to-eat time/temperature controlled for safety food prepared and packaged by a food processing plant shall be clearly marked, at the time the original container is opened in a food service operation or retail food establishment and if the food is held for more than twenty-four hours, to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded, based on the temperature and time combination specified in paragraph (G)(1) of this rule and:

(a) The day the original container is opened in the food service operation or retail food establishment shall be counted as day one; and

(b) The day or date marked by the food service operation or retail food establishment may not exceed a manufacturer's use-by date if the manufacturer determined the use-by date based on food safety.

(3) A refrigerated, ready-to-eat, time/temperature controlled for safety food ingredient or a portion of a refrigerated, ready-to-eat, time/temperature controlled for safety food that is subsequently combined with additional ingredients or portions of food shall retain the date marking of the earliest-prepared or first-prepared ingredient.

(4) A date marking system that meets the criteria stated in paragraphs (G)(1) and (G)(2) of this rule may include:

(a) Using a method approved by the licensor for refrigerated, ready-to-eat time/temperature controlled for safety food that is frequently rewrapped, such as lunchmeat or a roast, or for which date marking is impractical, such as soft serve mix or milk in a dispensing machine;

(b) Marking the date or day of preparation, with a procedure to discard the food on or before the last date or day by which the food must be consumed on the premises, sold, or discarded as specified under paragraph (G)(1) of this rule;

(c) Marking the date or day the original container is opened in a food service operation or retail food establishment, with a procedure to discard the food on or before the last date or day by which the food must be consumed on the premises, sold, or discarded as specified under paragraph (G)(2) of this rule; or

(d) Using calendar dates, days of the week, color-coded marks, or other effective marking methods, provided that the marking system is disclosed to the licensor upon request.

(5) Paragraphs (G)(1) and (G)(2) of this rule do not apply to individual meal portions served or repackaged for sale from a bulk container upon a consumer's request.

(6) Paragraphs (G)(1) and (G)(2) of this rule do not apply to shellstock

(7) Paragraph (G)(2) of this rule does not apply to the following foods prepared and packaged by a food processing plant under inspection:

(a) Deli salads manufactured in accordance with 21 C.F.R. 110, such as ham salad, seafood salad, chicken salad, egg salad, pasta salad, potato salad, and macaroni salad;

(b) Hard cheeses containing not more than thirty-nine per cent moisture as defined in 21 C.F.R. 133, such as cheddar, gruyere, parmesan and reggiano, and romano;

(c) Semi-soft cheeses containing more than thirty-nine per cent moisture, but not more than fifty per cent moisture, as defined in 21 C.F.R. 133, such as blue, edam, gorgonzola, gouda, and monterey jack;
Pre-cooked egg patties were observed in the walk in cooler with a date of 9-21 on the container. 3 containers of grilled chicken were observed in the walk in cooler with dates of 8-2 on them. Person in charge stated that the date on the egg container was old and employees were supposed to date each packet of eggs when pulled from the freezer. Person in charge stated that employees mistakenly put the wrong month on the chicken and should have put a 10 instead of an 8. Ready to eat foods which are temperature controlled for safety must be accurately date marked to track the seven day use by period. PERSON IN CHARGE STATED THAT SHE KNEW WHEN EACH PRODUCT WAS PULLED FROM FREEZER OR OPENED FROM THE ORIGINAL PACKAGE AND PUT CORRECT DATES ON THE PRODUCTS TO CORRECT.

The counter top milk cooler thermometer could not be located at the time of inspection. Please keep a temperature measuring device in the warmest location of the cooler to monitor the temperature.

Plastic soft drink crates were being used to keep food products six inches above the ground in the walk in cooler and walk in freezer. NSF or similarly approved storage racks or dunnage racks shall be used to keep products six inches above the floor while also being able to clean under the products while they are in place.

(A) Equipment - good repair and proper adjustment.
(1) Equipment shall be maintained in a state of repair and condition that meets the requirements specified under rule 3717-1-04 of the Administrative Code and rule 3717-1-04.1 of the Administrative Code.
(2) Equipment components such as doors, seals, hinges, fasteners, and kick plates shall be kept intact, tight, and adjusted in accordance with manufacturer's specifications.
(3) Cutting or piercing parts of can openers shall be kept sharp to minimize the creation of metal fragments that can contaminate food when the container is opened.
The walk in freezer is accumulating condensation and needs repaired to prevent potential contamination of the foods stored in the freezer.

3717-1-04.8 Equipment, utensils, and linens: protection of clean items.
(E) Equipment, utensils, linens, single-service articles, and single-use articles - storage.
(1) Cleaned equipment and utensils, laundered linens, single-service articles, and single-use articles shall be stored:
   (a) In a clean, dry location;
   (b) Where they are not exposed to splash, dust, or other contamination; and
   (c) At least six inches (fifteen centimeters) above the floor unless the items are kept in closed packages on dollies, pallets, racks, and skids that are designed as specified under paragraph (II) of rule 3717-1-04.1 of the Administrative Code.
(2) Clean equipment and utensils shall be stored as specified under paragraph (E) (1) of this rule and shall be stored:
   (a) In a self-draining position that allows air drying; and
   (b) Covered or inverted.
(3) Single-service and single-use articles shall be stored as specified under paragraph (E)(1) of this rule and shall be kept in the original protective package or stored by using other means that afford protection from contamination until used.

Plastic trays were being stored upright and uncovered on the storage racks across from the three compartment sink. Keeping these items covered or upside down will prevent contamination of food contact surfaces. THE ITEMS WERE TURNED UPSIDE DOWN TO CORRECT.

3717-1-05.4 Water, plumbing, and waste: refuse, recyclables, and returnables.
(N) Covering receptacles.
Receptacles and waste handling units for refuse, recyclables, or returnables shall be kept covered:
(1) Inside the food service operation or retail food establishment if the receptacles and units:
   (a) Contain food residue and are not in continuous use; or
   (b) After they are filled; and
(2) With tight-fitting lids or doors if kept outside the food service operation or retail food establishment.

The dumpster lid was open at the time of inspection. Please keep the lids closed to prevent pest entry and litter from blowing out.

3717-1-06.2 Physical facilities: numbers and capacities.
(I) Lighting - intensity
The light intensity shall be:
(1) At least ten foot candles (one hundred eight lux) at a distance of thirty inches (seventy-five centimeters) above the floor, in walk-in refrigeration units and dry food storage areas and in other areas and rooms during periods of cleaning;
(2) At least twenty foot candles (two hundred fifteen lux):
   (a) At a surface where food is provided for consumer self-service such as buffets and salad bars or where fresh produce or packaged foods are sold or offered for consumption;
   (b) Inside equipment such as reach-in and under-counter refrigerators; and
   (c) At a distance of thirty inches (seventy-five centimeters) above the floor in toilet rooms and in areas used for handwashing, warewashing, equipment storage, or utensil storage; and
(3) At least fifty foot candles (five hundred forty lux) at a surface where a food employee is working with food, utensils or equipment such as knives, slicers, grinders, or saws where employee safety is a factor.

The light was not working in the walk in freezer with less than 5 foot candles of light provided. Please repair the light to ensure at least 10 foot candles of light are provided.

3717-1-06.4 Physical facilities: maintenance and operation.
(F) Drying mops.
After use, mops shall be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies.
The mop was being stored damp in the bottom of the mop sink. Please store mops so they can air dry between use.
THE MOP WAS HUNG UP TO AIR DRY TO CORRECT.

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<table>
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<tr>
<th>Inspected by</th>
<th>R.S./SIT #</th>
<th>Licensor</th>
<th>Phone</th>
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</thead>
<tbody>
<tr>
<td>CHRIS MILLER</td>
<td>3139</td>
<td>Auglaize County Health Department</td>
<td>1-419-394-0094</td>
</tr>
</tbody>
</table>

As per HEA 5302 4/10 The Baldwin Group, Inc.
As per AGR 1268 4/10 The Baldwin Group, Inc.